

Claims 14-17, 19, 21 and 24: Currently amended.

Claim 18: Canceled.

## **R E M A R K S**

The Applicants acknowledge the Office Action of September 30, 2005 with appreciation. Claims 14-26 are pending in the application and are presently under examination.

The Office rejects Claims 14-26 under 35 U.S.C. § 112, second paragraph, for failing to claim with particularity. There are several aspects to the rejection. The Applicants address the specific examples of indefiniteness which the Office highlights in the instant Action.

To begin, the Office is unclear as to the term "calibrated" within the claims. With the Response After Final, Claims 14, 16 and 19 are amended to remove the language in question. The Applicants submit that the amendment obviates the instant rejection for failing to claim with particularity.

The Office requests clarification as to the specific function of the "thrust means". The Applicants presently amend Claims 14, 15 and 24 to include language to clarify that the thrust means is the protrusion (18), which is the physical embodiment of the thrust means. The designation of "protrusion" as element (18) of the instant invention may be found in the instant Specification at page 8, line 12. With regard to instant rejection as to the function of the thrust means, or protrusion (18), the language of generic Claim 14 sets forth that the returned translation means (12) cooperates with the protrusion (18), to release objects to the receptacle. Such cooperation and the function of the protrusion (18) is described in detail in the instant Specification at page 11, beginning at line 33 and continuing onto page 12. As disclosed in the highlighted paragraph, the

protrusion (18) functions to push the object to be dispensed through the opening in the membrane. The Applicants submit that the amendment to include the clarifying term, protrusion (18), and the detailed Specificational disclosure of the function of the protrusion (18) provide the requested clarity. Reconsideration and withdrawal of the rejection is respectfully solicited.

The Office rejects Claim 17 for the recitation of a "flexible shape memory membrane" which appears to be a double inclusion as the membrane is previously defined in generic Claim 14. Furthermore, the Office rejects Claim 18 as being redundant on Claim 14 with regard to the membrane. With the instant amendment, the language drawn to the flexible membrane is removed from Claim 17. The Applicants rely on the clarifying language, "deformable elastomer membrane" of generic Claim 14 to define the membrane characteristics of the return translation means. The Applicants submit that the instant amendment provides the requested definition. The basis for the rejection of Claim 18 is rendered moot by the cancellation of the claim. Thus, the bases for rejection of Claims 17 and 18 under 35 U.S.C. § 112, second paragraph, have been removed.

Moving on, the Office concludes that the instant Specification fails to provide proper antecedent basis for the terminology "thrust means". The Applicants presently amend Claims 14, 15 and 24 to include language to clarify that the thrust means is a protrusion (18), which is the physical embodiment of the thrust means. Antecedent basis for the amendment to substitute the term "protrusion" as element (18) may be found in the instant Specification at page 8, beginning at line 12. Additional support for the term protrusion as element (18) may be found in the instant Specification at page 11, beginning at line 33. The Applicants submit that the amendment to substitute the term "protrusion (18)" for "thrust means (18)" obviates the instant rejection for lack of antecedent basis.

The Applicants submit that the instant amendment to the claims obviates the rejection under 35 U.S.C. § 112, second paragraph. Reconsideration and withdrawal of the rejection is respectfully solicited.

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Accordingly, entry of the present amendment, reconsideration of all grounds of objection and rejection, withdrawal thereof, and passage of this application to issue are all hereby respectfully solicited.

It should be apparent that the undersigned attorney has made an earnest effort to place this application into condition for immediate allowance. If he can be of assistance to the Examiner in the elimination of any possibly-outstanding insignificant impediment to an immediate allowance, the Examiner is respectfully invited to call him at his below-listed number for such purpose.

Allowance is solicited.

Respectfully submitted,

THE FIRM OF HUESCHEN AND SAGE

By: 

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GPS/klw

Enclosure: Listing of Claims and Postal Card Receipt.

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**THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY FURTHER OR ADDITIONAL FEES WHICH MAY BE REQUIRED (DUE TO OMISSION, DEFICIENCY, OR OTHERWISE), OR TO CREDIT ANY OVERPAYMENT, TO DEPOSIT ACCOUNT NO. 08,3220.**